PAPERS LAID ON THE TABLE

Sri Kadidal MANJAPPA (Minister for Revenue).—I beg to lay on the Table in pursuance of clause (2) of article 151 of the Constitution of India read with Section 72 of the States Reorganisation Act, 1956 and Government of India, Ministry of Finance Notification No. S.R.O. 3180, dated 28th December 1956, the Finance Accounts of the former State of Hyderabad for the year 1956-57 and the Audit Report (from 1st April 1956 to 31st October 1956).

MYSORE RENT CONTROL LAWS CONTINUANCE BILL, 1959.

Motion to consider (continued).

Sri M. C. NARASIMHAN (Kolar Gold Field).—What about other Bills? Honestly, Sir, I would like to know if those Bills are going to eat into the time allotted for the discussion on Budget Estimate of the Electricity Board, because you will see that two days are allotted for discussion of the Budget Estimates of the Electricity Board. Unless there is a motion to amend the time allotted, this cannot be done at all.

Sri J. B. MALLARADHYA (Nanjangud).—We do not want to reduce the time allotted for the consideration of these Bills. It is according to the Business Advisory Committee decision that two days were allotted for the discussion of the Budget Estimates relating to the Electricity Board. We do not want to truncate discussion at all. Kindly see that two days are allotted for discussion of the Budget estimates of Electricity Board.

Mr. DEPUTY SPEAKER.—We will see.

Sri C.J. MUCKANNAPPA (Gubbi).—I submit to the Chair that this House is guarded by a very strong armed reserve Police. I just want to know why it is done so. The entire Vidhana Soudha and the Legislative Assembly Hall is protected by Police. I want to know why Police is posted with arms. We were obstructed from entering and they wanted us to show our passes etc.

Sri B. D. JATTI (Chief Minister).—As usual, there might be some police constables. Perhaps the Hon'ble Member might have thought of talking to me and he might have come in to contact with the Police, Sir.

Sri V. SRINIVAS SHETTY (Coondapur).—I should like to say one word with regard to these Bills. I am told that there are about 600 to 700 Bills on the anvil before the Government and they have been tardy in bringing forward these Bills. What they are doing now is giving life to these Bills individually for three months, six months and one year. As if the whole eternity is before them they intend bringing these Bills one by one slowly. I have already said something about their policy yesterday and I do not wish to repeat it. The Hon'ble the Chief Minister was pleased to say that he would call for a special session in the month of July, August or September.

†Sri B. D. JATTI.—July?

Sri V. SRINIVAS SHETTY.—Whatever it is, that is for discussing the Land Reforms Bill. But what about the vast number of Bills that are pending? No uniform law is before us regarding the vast number of Bills or the enactments of all the five integrating areas. I do not know what the scheme of the Government or their idea is. As I said they think that the eternity is before them. They have barely three years before them; do they want all the three years or have they any phased programme for enacting all these measures of legislation? In principle we are totally against this method of giving life to individual bills every now and then. I should like the Government to make it clear not only with regard to this Bill but generally what is their programme regarding the enactments that are pending. As I have said twice Government have not called for a session within the statutory period of six months, this being the second time that they have called for a session nearly six months after the earlier

session. We are prepared to sit up and pass this legislation. Due to internal quarrels probably Government were not in a position to call the Assembly in time to pass this legislation. I am quite sure that that aspect of the matter is over and I think from the atmosphere that is at present Government can call for the sessions earlier than the statutory period of six months. I make a request to the treasury benches that now at least they may have a phased programme and take up at least the most important piece of legislation. In this regard we do not want to come in the way of Government and it is wrong to think that we want to obstruct this piece of legislation. It is only in the interest of the State that this legislation should be passed.

Regarding the Rent Control Bill I do not know when it will have to be scrapped. Over a number of years it will have to be on the Statute Book because unless there is some legislation for control of rent, the middle classes cannot have houses, at least in township areas. I am totally against the principle of giving what are called saline injections to these pieces of legislation. As I said unless Government come forward with a definite programme and are sincere about enacting a very important piece of legislation, I have to oppose this Bill which is before the House.

Sri M. RAMAPPA (Harihar).—I only wish to add that Government do not seem to have realised the plight of the tenants under the present Mysore House Rent Contral and Accommodation Control Act, because it has not been provided in the present Act for the peaceful enjoyment of the tenants, while the same has been provided in the Tenancy and other Act.

Sri Kadidal MANJAPPA (Minister for Revenue).—I do not quite follow the member.

Sri M. RAMAPPA.—For example, in the present Mysore House Rent Control and Accommodation Control Act no provision has been made for the peaceful enjoyment by the tenant of the house he is residing in. For that matter the landlord can threaten him and see that he is evicted legally. There is no provision to charge him for the trespass whereas under the I.P.C. it is an offence. Even under sections 28-A and 29 of the Mysore Tenacy Act the landlord is prevented from interfering with the rights of the tenant.

Sri Kadidal MANJAPPA.—That applies to agricultural lands.

†**Sri M. RAMAPPA.**—I am only quoting an instance. Under the House Rent and Accommodation Control Act there is no provision to prevent a landlord from interfering with the tenant's possession of the house. It should be made an offence. You may say that no specific provision is necessary under the House Rent and Accommodation Control Act because that offence comes under I.P.C. If such an offience comes under I.P.C. why a separate provision has been made in the Tenancy Act? For both the tenant and landlord it is no longer desirable to continue the present Act. As a matter of fact greater safeguards are now provided to the landlords. But in the interest of both it is necessary to bring in another Bill during the July or August session.

†**Sri G. VENKATAIGOWDA** (Palaiyam).—I fully endorse the opinions expressed by my friends. I think the Government have lost sight of the principle which they ought to have adopted. We have been hearing for the last 2½ years regarding the achievement of uniformity in very many vital matters and this is one such. Of course it has been stated that the Bill has been introduced in the Legislative Council. This is a very important matter. Several loopholes can be found in various Acts that are prevailing in the various integrating areas. For example in Madras the jurisdiction is vested in the District Munsiff and elsewhere it is in a different officer, thus causing difficulties to the landlord and the tenant. So in the interest of both as stated by Sri Ramappa, Government may bring a Bill to seek uniformity and see that these people are protected from all kinds of harassment.

(SRI G. VENKATAI GOWDA)

This is not the proper way of doing things. This is coming before us for the second time and I submit that this kind of asking for extensions should be put an end to.

†Sri KADIDAL MANJAPPA.—Sir, Hon'ble Member Sri Srinivasa Shetty raised an objection saying that the Government is tardy in introducing uniform legislation. I would submit that States Reorganisation has ushered in a number of problems. Nowhere in India the problems were so complicated as in our State. The new State emerged with five different regions, different administrative systems. The task is not easy. Constitutionally and legally integration took place on 1st November 1956, but the problems which it created are continuing. There are hundreds of enactments in force in different regions. If the Government was totalitarian, it could have unified the law by the stroke of a decree.

Sri G. VENKATAI GOWDA.—If the task is so difficult, Government should appoint Special Officers

Sri KADIDAL MANJAPPA.—In some cases, bills are ready. We are earnest. I do not know why friends opposite should make much of this. A bill in this respect has already been introduced in the upper House and a motion for reference to a Joint Select Committee has been passed. The matter will come before this House at the appropriate time. What is before us is merely a continuing enactment.

My friend Sri Srinivasa Shetty also said that on account of differences in the ruling party, things are delayed. The question of bringing about uniformity in legislation has nothing to do with differences of opinion in the party. There is bound to be some differences on minor points, as I believe it exists even on the other side. I know what is happening on the other side.

Sri M. C. NARASIMHAN (Kolar Gold Field).—We are not the ruling party. Does the Minister suggest that the ruling party and the Opposition should be on the same level? Does not the ruling party claim more morals?

Sri KADIDAL MANJAPPA.—I only said that differences were bound to arise in any party. That need not be made much of.

Sri C. J. MUCKANNAPPA.—When the Hon'ble Minister was sitting in the Opposition in the olden days, was he not saying the same thing about Sri Mirza and Sri Madhava Rau?

Sri KADIDAL MANJAPPA—I am as enthusiastic now as I was then.

Sir, Sri Ramappa said that the present Act did not provide for certain safeguards in favour of tenants. I have gone through the provisions of the existing law several times and I think the safeguards are sufficient. It has been brought to my notice that Section 28, 28 (*a*) of the Mysore Tenancy Act, which applies to agricultural lands, should be extended to the House Rent Control Act. Anyhow, a Bill is pending before the House and it would be referred to a Joint Select Committee and the House will have an ample opportunity to consider the measure and suggest suitable provisions. With these observations, I commend the bill for the kind consideration and acceptance of the House.

Mr. DEPUTY SPEAKER.—The question is:

"That the Mysore Rent Control Laws Continuance Bill, 1959, be taken into consideration."

The motion was adopted.

Mr. DEPUTY SPEAKER.—Clauses 2 and 3. The question is:

"That clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Mr. DEPUTY SPEAKER.—Clause 4.

Sri V. SRINIVAS SHETTY.—I beg to move:

"In lines 4-5, for the words and figures, '31st day of December 1959,' the words and figures '31st day of August, 1959' shall be substituted."

Mr. DEPUTY SPEAKER.—Amendment moved :

"In lines 4-5, for the words and figures '31st day of December 1959,' the words and figures '31st day of August, 1959' shall be substituted."

†Sri V. SRINIVAS SHETTY.—I was surprised when I heard the Hon'ble the Revenue Minister saying that the Government were very vigilant. If we peep into the history of this very legislation, we would know how lazy the Government had been throughout. Last time, when the Assembly was not in session, Government passed an ordinance to prolong the life of this enactment. Now at the fag-end of the session, a couple of days before the close of the session, they introduce a bill in the upper House. What would be its future? According to the Hon'ble Revenue Minister, Government would be calling a session in July or August . . . . . .

Sri T. SUBRAMANYA (Minister for Law, Labour and Local Self-Government).—Not August, July.

Sri V. SRINIVAS SHETTY.—We were told that it might be in July or August. The session will be merely for ten days and would mainly deal with the Land Reforms Bill.

Sri KADIDAL MANJAPPA.—We are not prevented from taking up other business.

Sri V. SRINIVAS SHETTY.—I do not know whether within ten days allotted we will be able to discuss and pass this bill also. The Government will come up again and say they are unable to get the bill passed. I do not know when the bill would at all be passed. If we take the past history of this Government into consideration, I am not hopeful it will be done early. I know there are difficulties. This is not the only Government in the world having difficulties. They have no doubt many problems on hand, but when they say they have been vigilant, I do not agree. I am not interested in the internal squabbles of the ruling party. I agree there are differences in any party, but does that mean internal strife should prevent the ruling party from doing things necessary in the interest of the State? The reply of the Revenue Minister is so lame and unconvincing that even now I believe they will not be able to keep up to any schedule or time-table regarding this important enactment.

With these few words, I propose this amendment for the acceptance of the house.

Sri KADIDAL MANJAPPA.—Sir, I would submit that when compared to other States, uniformity has been achieved in Mysore State in a measure greater than other States. The position here is better than in other States, particularly in regard to uniformity in taxation measures.

Sri C. J. MUCKANNAPPA.—May I know how many measures designed to bring about uniformity have been passed ?

Sri KADIDAL MANJAPPA.—I will give a list; I want time.

(There were several interruptions)

I do not like this kind of attitude when I am on my legs. We are sitting in a responsible body like the Legislature and there should be some restraint and decorum . . . . . .

Sri C. J. MUCKANNAPPA.—If we contradict you, there is no decorum. Is that correct? Should we sit mute when Government is telling lies ?

2-30 P.M.

Sri T. SUBRAMANYA.—My friend Sri Muckannappa said : "If the Government utters lies....." I wish he avoids such things.

Sri KADIDAL MANJAPPA.—I humbly beg to submit that we are members of the Legislature.

With reference to the points raised by my friend Sri Srinivasa Shetty, I do not want to repeat what I have already said. The amendment is not acceptable. It is not possible to enact uniform legislation before 30th August 1959.

Mr. DEPUTY SPEAKER.—The question is :

"In lines 4-5, for the words and figures, '31st day of December 1959', the words and figures '31st

(MR. DEPUTY SPEAKER)

day of August, 1959' shall be substituted."

The motion was negatived.

Mr. DEPUTY SPEAKER.—The question is:

"That Clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.

Mr. DEPUTY SPEAKER.—The question is:

"That Clauses 5 and 6 stand part of the Bill."

The motion was adopted.

Clauses 5 and 6 were added to the Bill.

Mr. DEPUTY SPEAKER.—The question is:

"That Clause 1, the Title and the Preamble stand part of the Bill."

The motion was adopted.

Clause 1, the Title and the Preamble were added to the Bill.

Motion to pass.

Sri KADIDAL MANJAPPA.—I beg to move:

"That the Mysore Rent Control Laws Continuance Bill, 1959, be passed."

Mr. DEPUTY SPEAKER.—The question is:

"That the Mysore Rent Control Laws Continuance Bill, 1959, be passed."

The motion was adopted.

MADRAS DISTRICT BOARDS (MYSORE AMENDMENT) BILL, 1959.

Motion to consider.

Sri T. SUBRAMANYA (Minister for Law, Labour and Local Self-Government).—Sir, I beg to move:

"That the Madras District Boards (Mysore Amendment) Bill, 1959, be taken into consideration."

Mr. DEPUTY SPEAKER.—Motion moved:

"That the Madras District Boards (Mysore Amendment) Bill, 1959, be taken into consideration."

Sri T. SUBRAMANYA.—Sir, in the usual course elections to these district boards will have to be held very early next month, but since we are having a uniform law which was adopted by this House recently and the elections to be held under that would require about 10 to 12 months to work out all the preliminaries. I request the House to extend the life of the present District Boards by one year.

†Sri G. VENKATAI GOWDA (Palaiyam).—I rise to oppose this amending Bill for the following reasons. Now we have passed the Mysore Village Panchayats and Local Boards Bill. It has to be introduced in the Council and got passed there. I do not know when the Minister is going to introduce this Bill there and whether he is going to get it passed in the current session itself. As the States ment of Objects and Reasons disclose- Government has got power to extend the term of office of the present district boards up to 27th October 1959. So they have now about six months before them. If they are serious I should think it should be possible to bring this Act into force by that time and so there is no necessity for any extension at all because within 6 months you can get the Governor's assent, frame the rules and see that the Act is brought into force. I also say that the present Bill is premature. How can the Government expect that they would not be able to cope with the work in 6 months. If by that time they find that it is not possible to get the Act brought into force, then they can think of such a legislation. Therefore I say that the present amending Bill is too premature. On the other hand, Government should try to get this enactment passed and brought into force by 27th October 1959. So I